Justice Official Agrees F.B.I. Informer Raised Doubt About Witness

By ANTHONY MARRO
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WASHINGTON, July 18 — A Justice Department official who helped prosecute the men accused of killing a civil rights worker in Alabama in 1965 confirmed today that the key Government informer in the case, Gary Thomas Rowe Jr., had contended one of the witnesses was not at the scene of the shooting.

But the official, James P. Turner, said Federal prosecutors discounted Mr. Rowe's contention because there was considerable evidence to the contrary and because they did not believe that Mr. Rowe had been in a position to make a positive identification of the man.

Mr. Turner, who was a staff attorney in the department then and now is Deputy Assistant Attorney General in the civil rights division, strongly denied Mr. Rowe's contention that the prosecutors had told him to mold his testimony to place the witness at the scene.

"We told him to tell the truth," Mr. Turner said. "If we told him that once, we told him that three million times."

Chief Witness in Liuzzo Trials

Mr. Rowe, who is now living under an assumed name, was the Federal Bureau of Investigation's chief informer in the Ku Klux Klan and was one of the persons riding in a car from which shots were fired, killing a civil rights worker, Viola Gregg Liuzzo, in 1965.

Mr. Rowe subsequently was a chief witness in trials that resulted in the conviction of two other occupants of that car in Mrs. Liuzzo's murder.

Questions about his precise role have arisen after 13 years because of recent allegations by the two men that Mr. Rowe himself might have fired the fatal shots and because of testimony about his dispute with the prosecutors, testimony that was given by Mr. Rowe three years ago but only recently called to the attention of the Justice Department.

According to a deposition given to the Senate Intelligence Committee in 1975, John Doar, the chief prosecutor in the case, was told by Mr. Rowe that the witness said to have been riding in the car with Mrs. Liuzzo was not the man he had observed riding there.

Mr. Rowe said in the deposition that he told Mr. Doar the man, LeRoy Motan, was much younger and smaller than the man with Mrs. Liuzzo but that Mr. Doar told him not to say so in court.

Mr. Doar, now a lawyer in private practice, has refused to comment on the matter. But Mr. Turner, when questioned about it, said that no one on the prosecution team had told Mr. Rowe to lie.

He said that he had personally interviewed Mr. Motan at length and had become convinced that he was in the car with Mrs. Liuzzo. Mr. Turner also said that, because the incident took place at night and because the cars were traveling at speeds up to 100 miles an hour, it was felt that Mr. Rowe had not been in position to make a positive identification.

In addition, several F.B.I. agents who were involved in the case have said in recent days that it was common knowledge among them that Mr. Rowe had contended Mr. Motan was not the person he saw with Mrs. Liuzzo. But they said that, because Mr. Rowe himself was the key witness and Mr. Motan was marginal, the discrepancy was not considered of great import.

However, the Justice Department last week began an investigation to determine whether Mr. Rowe might have been responsible for Mrs. Liuzzo's death and whether there was any improper conduct by prosecutors handling that case.